

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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In the Matter of

Index No.:

the Application of

VERIFIED PETITION

Linda A. Lacewell, Superintendent of Financial
Services of the State of New York, for an
Order of Appointment as Ancillary Receiver of

BEDIVERE INSURANCE COMPANY.

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Linda A. Lacewell, Superintendent of Financial Services of the State of New York (“Superintendent”), respectfully petitions the Court for an order, substantially in the form attached hereto as Exhibit “1” (“Order”), appointing the Superintendent (and her successors in office) ancillary receiver (“Ancillary Receiver”) of Bedivere Insurance Company (“Bedivere”) with all the rights and obligations granted to and imposed upon her pursuant to Article 74 of the New York Insurance Law (“Insurance Law”).

Relief Requested

1. Bedivere, a Pennsylvania domestic insurer, has been judicially determined to be insolvent and has been placed into liquidation by the Commonwealth Court of Pennsylvania (“PA Court”). There are New York claimants with claims under Bedivere insurance policies. It is important that a New York ancillary receivership be commenced for Bedivere in order for New York claimants with allowed covered claims to receive coverage from the applicable New York security fund. Bedivere is currently paying workers’ compensation claims under insurance policies written by Bedivere that in an ancillary proceeding would be eligible for payment from the New York Workers’ Compensation Security Fund. *See* N.Y. Workers’ Comp. L., Art. 6-A.

It is estimated that hundreds of workers' compensation claims will be referred by the Pennsylvania Liquidator for handling within a New York ancillary receivership proceeding. Commencing this ancillary receivership proceeding as soon as practicable is necessary to ensure there is not an interruption in workers' compensation benefits, including medical and pharmacy benefits. In addition, it is estimated that hundreds of property/casualty claims may be referred to the New York Property/Casualty Insurance Security Fund by the Pennsylvania Liquidator for handling within a New York ancillary receivership proceeding. (Affidavit of Joan Riddell, Deputy Chief Insurance Examiner, Property Bureau, New York State Department of Financial Services, sworn to on April 27, 2021 ("Riddell Aff."), attached hereto as Exhibit "2", ¶¶ 7-8).

Background

2. Bedivere is a domestic stock property/casualty insurer domiciled in the Commonwealth of Pennsylvania. Its principal place of business is at 1880 JFK Boulevard, Suite 80, Philadelphia, PA 19103. *See* Riddell Aff. ¶ 1.

3. Bedivere is part of an insurance holding company system. Trebuchet US Holdings, Inc., a Delaware company, is the 100% owner and sole shareholder of Bedivere. (Riddell Aff. ¶1)

4. Bedivere became licensed to do business as an authorized foreign insurer in the State of New York on or about December 14, 1956. (Riddell Aff. ¶2).

5. Bedivere was authorized to transact the business of insurance set forth in paragraphs 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 26, and 29 of Section 1113(a) of the Insurance Law. (Riddell Aff. ¶3).

6. On March 11, 2021, the PA Court found Bedivere to be insolvent and issued an order placing Bedivere into liquidation ("Liquidation Order") and appointing Jessica K. Altman,

Pennsylvania Commissioner of Insurance, Statutory Liquidator of Bedivere (“Pennsylvania Liquidator”). The Liquidation Order also, among other things, established procedures that, in turn, established December 31, 2021 as the bar date for the filing of all claims against Bedivere. *See* Liquidation Order (Riddell Aff. ¶ 4, Exhibit “A”).

**The Grounds to Commence an Ancillary
Receivership Proceeding Have Been Met**

7. Insurance Law § 7407(c) states that, upon the request of a receiver who has been appointed for an insurer in its domiciliary state, the Superintendent shall apply to this Court for an order appointing her ancillary receiver for such insurer if the domiciliary state is a reciprocal state.

8. On March 12, 2021, the Pennsylvania Liquidator sent a letter, a copy of which is annexed as Exhibit “B” to the Riddell Aff., requesting that the Superintendent commence an ancillary receivership proceeding for Bedivere (“Letter Request”). Riddell Aff. ¶ 5, Exhibit “B”.

9. Pennsylvania is a reciprocal state. Insurance Law § 7408(b)(6) defines a reciprocal state as any state, other than the State of New York, in which the provisions of the Uniform Insurers Liquidation Act (Insurance Law §§ 7408-7415), in substance and effect, are in force. Pennsylvania, Bedivere’s domiciliary state, has adopted, in substance and effect, the provisions of the Uniform Insurers Liquidation Act. Pennsylvania Insurance Department Act, Article V, 40 P.S 221.12, 221.15, 221.17, 221.20, 221.55, and 221.58. *See* Letter Request. (Riddell Aff. ¶ 6, Exhibit “B”).

10. Based on the Letter Request from Pennsylvania, a reciprocal state, the Superintendent now brings this application under Insurance Law § 7407 to commence an ancillary receivership proceeding for Bedivere. Since all of the grounds to commence an ancillary receivership proceeding have been met, this Court should issue the Order commencing

an ancillary receivership proceeding and pursuant to Insurance Law § 7410(a), appointing the Superintendent as Ancillary Receiver.

Injunctive Relief

11. To discharge the responsibilities as Ancillary Receiver in an orderly and fair manner for the benefit of policyholders and creditors domiciled in the State of New York, certain injunctive relief is necessary.

12. I respectfully request that this Court explicitly apply the injunctions, restrictions and directions contained in paragraphs 7, 13, 14, and 15 of the Liquidation Order to any and all business of Bedivere that is conducted in the State of New York, and to any and all assets, books, records, files, credit cards, and other property of Bedivere located in the State of New York. While these injunctions, directions, and restrictions, as well as the entire Liquidation Order, were issued by a court of competent jurisdiction and apply to this ancillary proceeding, an explicit ruling from this Court that the injunctions, directions, and restrictions issued in paragraphs 7, 13, 14, and 15 of the Liquidation Order apply to this ancillary receivership proceeding will promote clarity and reduce the likelihood of unnecessary litigation.

13. Under Insurance Law § 7419(b), the Court may issue permanent injunctions or orders to prevent the commencement or prosecution of any actions, the obtaining of preferences, judgments, attachments, or other liens or making any levy against the Ancillary Receiver, Bedivere, the New York Liquidation Bureau (the organization serving as the Ancillary Receiver's staff), or their present or former employees, attorneys, or agents, with respect to this proceeding or the discharge of their duties under Insurance Law Article 74 in relation thereto (the "Permanent Injunctions").

14. The Permanent Injunctions are important for the performance of the Ancillary Receiver's duties. Failure to grant this relief could result in one or more persons or entities rushing to pursue legal action, including collections and default judgments, in the State of New York against Bedivere. This would adversely impact the ancillary receivership and could significantly increase administrative expenses and litigation costs.

15. In addition to the Permanent Injunctions, I request an order under Insurance Law § 7419(b) temporarily staying all litigations against insureds of Bedivere or in which Bedivere is obligated to defend an insured or provide a defense to a party pursuant to an insurance policy, for a period of 180 days from the date of entry of the Order of Ancillary Receivership (the "180-Day Injunction"). The 180-Day Injunction will temporarily stay all matters currently in litigation and will allow the Ancillary Receiver and the Superintendent as administrator of the New York security funds ("Administrator") sufficient time to review and assess the claims in litigation.

16. I also request an order under Insurance Law § 7419(b) temporarily enjoining and restraining all persons who have first-party policyholder loss claims against Bedivere in the State of New York from presenting and filing claims with the Ancillary Receiver for a period of 90 days from the date the Ancillary Receivership Order is signed (the "90-Day Injunction"). Eligible first-party claims in New York are referred to the Ancillary Receiver who determines whether a referred claim is covered by one of the security funds.

17. After Bedivere is placed into ancillary receivership, the Pennsylvania Liquidator will transfer the books and records of the company relating to certain New York claims under policies written by Bedivere, including litigation files, to the Ancillary Receiver and Administrator for further handling. Because the files and records of an insolvent insurer often require time to review and assess, a temporary stay is necessary to ensure that claims are

appropriately handled and that there is no prejudice to the company or its policyholders during the transition to ancillary receivership.

18. The 180-Day Injunction and 90-Day Injunction will allow the Ancillary Receiver and Administrator to: (i) review the New York claims and litigations; (ii) coordinate with third-party administrators for handling claims; (iii) assign claims examiners; (iv) review settlement negotiations, if any; (v) analyze the legal issues; (vi) set reserves; (vii) assign or retain counsel; and (viii) prepare to litigate the matters, if necessary, upon the expiration of the 180-Day Injunction and 90-Day Injunction. The injunctions sought here are virtually the same injunctions as are granted in every ancillary proceeding and could be considered routine. *In the Matter of the Ancillary Receivership of American Country Insurance Company*, S. Ct., N.Y. County, Index #452250/2020, Order of December 16, 2020; *In the Matter of the Ancillary Receivership of American Service Insurance Company*, S. Ct., N.Y. County, Index #452249/2020, Order of December 2, 2020; *In the Matter of the Ancillary Receivership of Northwestern National Insurance Company of Milwaukee, Wisconsin*, S. Ct., N.Y. County, Index #450931/2019, Order of August 8, 2019. Copies of the ancillary receivership orders in each of these ancillary receivership proceedings are annexed hereto as Exhibit “3.”

19. For these reasons, the 180-Day Injunction and 90-Day Injunction are warranted under Insurance Law § 7419(b), and this Court should issue an order, *inter alia*, granting the injunctions.

Additional Relief

20. I further respectfully submit that Insurance Law § 7412(a) makes clear that the claims bar date of December 31, 2021 in the Bedivere liquidation proceeding applies to this ancillary receivership proceeding and requires that all New York claims under Bedivere policies

and evidence supporting such claims be submitted to the Ancillary Receiver of Bedivere by December 31, 2021. Claims and evidence not submitted by that date shall be barred. Applying the claims bar date to the ancillary receivership proceeding will maintain an appropriate relationship between the ancillary proceeding and the domestic liquidation of Bedivere, and will ensure that claims paid by the New York security funds will be eligible for reimbursement in the domestic liquidation proceeding.¹

21. I further respectfully request that the Court order that the Superintendent as Ancillary Receiver, her successors in office, and the New York Liquidation Bureau and their agents and employees, be granted judicial immunity from any cause of action of any nature against them, individually or jointly, for any act or omission when acting in good faith, in accordance with the orders of the Court, or in the performance of their duties pursuant to Insurance Law Articles 74 and 76 and Article 6-A of the New York Workers' Compensation Law. The Ancillary Receiver acts in a "judicial and private" capacity under the supervision of the Court pursuant to Article 74 of the Insurance Law. *Dinallo v. DiNapoli*, 9 N.Y.3d 94, 103 (2007). In addition, "a court-appointed receiver acts as an arm of the court and is immune from liability for actions grounded in his or her conduct as receiver." *In the Matter of the Liquidation of U.S. Capital Insurance Company*, 36 Misc.3d 635, 637 (Sup. Ct., N.Y. County 2012).

Conclusion

22. In light of the foregoing, I respectfully request that the Court enter the Order, which, among other things: (a) appoints the Superintendent Ancillary Receiver of Bedivere, pursuant to Insurance Law §§ 7407(c) and 7410(a); and (b) vests the Ancillary Receiver with all

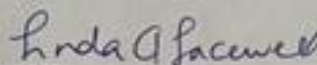
¹ The New York security funds will assert claims in Bedivere's domestic liquidation proceeding for reimbursement of amounts paid to eligible New York claimants.

rights and obligations granted to and imposed upon her pursuant to Article 74 of the Insurance Law.

23. No previous application for the relief sought herein has been made to this or any other court or judge.

WHEREFORE, I respectfully request that this Court grant the relief sought in this Verified Petition, enter the Order, and grant such other and further relief as is just and proper.

Dated: New York, New York
May 18, 2021



Linda A. Lacewell
Superintendent of Financial Services
of the State of New York

Please note that this was notarized in accordance to Governor Cuomo's EO 202.7.

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Linda A. Lacewell, being duly sworn, deposes and says:

That she is the Superintendent of Financial Services of the State of New York and that she executed the foregoing Verified Petition; that she is acquainted with the facts therein stated; that she knows the contents of said Verified Petition; and the same are true based upon the records of the New York State Department of Financial Services.

Deponent says that the sources of her information as to the matters stated in said Verified Petition are the affidavit referred to therein and the records of the New York State Department of Financial Services.

Linda A. Lacewell

Linda A. Lacewell
Superintendent of Financial Services
of the State of New York

Sworn to before me this
18th day of May, 2021

Malini Singh McDonald
Notary Public



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EXHIBIT 1

At IAS Part ____ of the Supreme Court of the State of New York, at the courthouse located at _____, in the City, County and State of New York, on the ____ day of _____, 2021.

P R E S E N T :

HON. _____ J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
In the Matter of

Index No.:

the Application of

Linda A. Lacewell, Superintendent of
Financial Services of the State of New York, for an
Order of Appointment as Ancillary Receiver of

**ORDER OF ANCILLARY
RECEIVERSHIP**

BEDIVERE INSURANCE COMPANY.
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Linda A. Lacewell, Superintendent of Financial Services of the State of New York (“Superintendent”), having moved this Court by order to show cause for an order appointing the Superintendent and her successors in office as ancillary receiver (“Ancillary Receiver”) of Bedivere Insurance Company (“Bedivere”), and upon reading and filing the petition of the Superintendent, duly verified on the 18th day of May, 2021 (“Verified Petition”), the Affidavit of Joan Riddell, Deputy Chief Insurance Examiner, Property Bureau, New York State Department of Financial Services, sworn to on the 27th day of April, 2021, and the exhibits annexed thereto, this Court finds that:

1. Bedivere is a Pennsylvania-based property/casualty insurance company wholly owned by Trebuchet US Holdings, Inc., a Delaware company;

2. By order dated March 11, 2021, the Commonwealth Court of Pennsylvania issued an Order of Liquidation finding Bedivere to be insolvent (“Liquidation Order”) and appointing Jessica K. Altman, Pennsylvania Commissioner of Insurance, Statutory Liquidator (“Pennsylvania Liquidator”) of Bedivere;

3. Bedivere is subject to Article 74 of the New York Insurance Law (“Insurance Law”);

4. Pennsylvania is a reciprocal state within the meaning of Insurance Law § 7408(b)(6);

5. The Pennsylvania Liquidator requested that the Superintendent commence an ancillary receivership proceeding for Bedivere; and

6. Insurance Law § 7410(a) mandates that the Superintendent be appointed Ancillary Receiver of Bedivere.

NOW, on the motion of the Honorable Letitia James, Attorney General of the State of New York, it is hereby

ORDERED as follows:

1. The relief requested in the Verified Petition seeking an order of ancillary receivership (“Order”) is granted in its entirety;
2. The Superintendent (and her successors in office) is appointed Ancillary Receiver of Bedivere and is vested with all rights and obligations granted to and imposed upon her pursuant to Article 74 of the Insurance Law;
3. The material provisions of the Liquidation Order, including, but not limited to, the injunctions, restrictions and directions contained in paragraphs 7, 13, 14, and 15 apply to this ancillary receivership proceeding;
4. In accordance with Insurance Law § 7412(a), the bar date of December 31, 2021, established by the procedures set forth in the Liquidation Order, applies to this ancillary receivership proceeding, and all New York claims under Bedivere policies and evidence supporting such claims must be submitted to the Ancillary Receiver by December 31, 2021, and if not submitted by that date are barred;

5. All persons are permanently enjoined and restrained from commencing or prosecuting any actions, lawsuits, or proceedings against Bedivere in ancillary receivership, the Superintendent as Ancillary Receiver of Bedivere or as administrator of the New York security funds, the New York Liquidation Bureau, and their employees, attorneys, or agents, with respect to this proceeding or in the discharge of their duties;
6. All parties to actions, lawsuits, and special or other proceedings in the State of New York against insureds of Bedivere or in which Bedivere is obligated to defend an insured or provide a defense to a party pursuant to an insurance policy are enjoined and restrained from obtaining any judgment or proceeding with any discovery, court proceedings, or other litigation tasks or procedures, including, but not limited to, conferences, trials, applications for judgment, or proceedings on settlement or judgment, for a period of 180 days from the date this Order is signed;
7. All persons who have first-party policyholder loss claims against Bedivere in the State of New York are enjoined and restrained from presenting and filing claims with the Ancillary Receiver for a period of 90 days from the date this Order is signed;
8. Judicial immunity is extended to the Superintendent in her capacities as Ancillary Receiver of Bedivere and as administrator of the New York security funds, her successors in office, the New York Liquidation Bureau, and their agents and employees, for any cause of action of any nature against them, individually or jointly, for any act or omission when acting in good faith, in accordance with the orders of this Court, or in the performance of their duties pursuant to Insurance Law Articles 74 and 76 and Article 6A of the New York Workers' Compensation Law;
9. The Ancillary Receiver shall serve a copy of this Order on the Pennsylvania Liquidator by overnight delivery to Laura Lyon Slaymaker, Deputy Insurance Commissioner, Office of Liquidations, Rehabilitations and Special Funds, representing Jessica K. Altman, Insurance Commissioner of the Commonwealth of Pennsylvania, in her capacity as Statutory Liquidator of Bedivere Insurance Company, at 901 North 7th Street, Harrisburg, Pennsylvania, 17102;
10. The Ancillary Receiver shall provide notice of this Order to all creditors, claimants, and interested persons located in the State of New York by posting the Order on the Internet web page maintained by the New York Liquidation Bureau at <http://www.nylb.org> within 15 days after the entry of this Order;
11. Bedivere's license to do business in the State of New York is hereby revoked;

12. The caption for this proceeding is hereby amended as follows:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
In the matter of

the Ancillary Receivership of

BEDIVERE INSURANCE COMPANY.

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13. All further papers in this proceeding shall bear the above amended caption.

E N T E R

J.S.C.

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EXHIBIT 2

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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In the Matter of

Index No.

the Application of

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Linda A. Lacewell, Superintendent of Financial
Services of the State of New York, for an order of
Appointment as Ancillary Receiver of

BEDIVERE INSURANCE COMPANY.
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STATE OF NEW YORK)
) SS:
COUNTY OF WESTCHESTER)

JOAN RIDDELL, being duly sworn, deposes and says:

1. I am employed at the New York State Department of Financial Services (“DFS”) as a Deputy Chief Insurance Examiner. I submit this affidavit in support of the petition of the Superintendent of Financial Services of the State of New York (“Superintendent”) for an order commencing an ancillary receivership proceeding for Bedivere Insurance Company (“Bedivere”) and appointing the Superintendent and her successors-in-office as ancillary receiver of Bedivere under Article 74 of the New York Insurance Law (“Insurance Law”). This affidavit is based upon personal knowledge, the sources of which are the records maintained by DFS.

2. Bedivere is a Pennsylvania-based stock property/casualty insurance company wholly owned by Trebuchet US Holdings, Inc. a Delaware company. Bedivere is organized under the laws of the Commonwealth of Pennsylvania, with its principal office located at 1880 JFK Boulevard, Suite 80, Philadelphia, PA 19103.

3. Bedivere became licensed to do business as an authorized foreign insurer in the State of New York on or about December 14, 1956.

4. Bedivere was authorized to transact the business of insurance set forth in paragraphs 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 26, and 29 of Section 1113(a) of the Insurance Law.

5. On March 11, 2021, the Commonwealth Court of Pennsylvania found Bedivere to be insolvent and issued an order placing Bedivere into liquidation (“Liquidation Order”) and appointing Jessica K. Altman, Pennsylvania Commissioner of Insurance, Statutory Liquidator of Bedivere (“Pennsylvania Liquidator”). The Liquidation Order also, among other things, established procedures that, in turn, established December 31, 2021 as the bar date for the filing of all claims against Bedivere. A copy of the Liquidation Order is annexed hereto as Exhibit “A”.

6. On March 12, 2021, the Pennsylvania Liquidator sent a letter, a copy of which is annexed hereto as Exhibit “B”, requesting that the Superintendent commence an ancillary receivership proceeding for Bedivere (“Letter Request”).

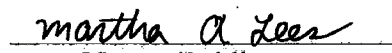
7. Pennsylvania is a reciprocal state. Insurance Law § 7408(b)(6) defines a reciprocal state as any state, other than the State of New York, in which the provisions of the Uniform Insurers Liquidation Act (Insurance Law §§ 7408-7415), in substance and effect, are in force. Pennsylvania, Bedivere’s domiciliary state, has adopted, in substance and effect, the provisions of the Uniform Insurers Liquidation Act. Pennsylvania Insurance Department Act, Article V, 40 P.S. 221.12, 221.15, 221.17, 221.20, 221.55, and 221.58. *See* Letter Request.

8. Bedivere is currently paying workers’ compensation claims under insurance policies written by Bedivere that are eligible for payment from the New York Workers’ Compensation Security Fund. *See* N.Y. Workers’ Comp. L., Art. 6-A. The Ancillary Receiver estimates that hundreds of workers’ compensation claims will be referred by the Pennsylvania Liquidator to New York for handling.

9. In addition, the Pennsylvania Liquidator may also refer other New York claims that may be eligible for coverage by the New York Property/Casualty Insurance Security Fund and the New York Public Motor Vehicle Liability Security Fund. The Ancillary Receiver estimates that hundreds of property/casualty claims will be referred by the Pennsylvania Liquidator to New York for handling.


JOAN RIDDELL

Sworn to before me this
27th day of April, 2021


Notary Public

MARTHA A. LEES
Notary Public, State of New York
No. 02LE6129105
Qualified in Kings County,
Commission Expires 06/20 21

EXHIBIT A

Jessica K. Altman,
Insurance Commissioner of the
Commonwealth of Pennsylvania,

V.

No. 1 BIC 2021

Respondent

AND NOW, this 11th day of March, 2021, upon consideration of the Petition for Liquidation of Bedivere Insurance Company (Bedivere) filed by Jessica K. Altman, Insurance Commissioner of the Commonwealth of Pennsylvania, and upon the unanimous consent of the Board of Directors of Bedivere and the sole shareholder of Bedivere, Trebuchet US Holdings, Inc., it is hereby ORDERED that:

1. The Petition for Liquidation is GRANTED, and Bedivere is ordered to be liquidated pursuant to Article V of The Insurance Department Act of 1921, Act of May 17, 1921, P.L. 789, added by the Act of December 14, 1977, P.L. 280, *as amended*, 40 P.S. §§ 221.1 – .63 (Article V).

2. Insurance Commissioner Jessica K. Altman and her successors in office, if any, are hereby appointed Statutory Liquidator of Bedivere and directed to take possession of Bedivere's property, business and affairs in accordance with Article V and to administer them pursuant to the orders of this Court.

3. The Liquidator is hereby vested with all the powers, rights and duties authorized under Article V and other applicable statutes and regulations.

ASSETS OF THE ESTATE

4. The Liquidator is vested with title to all property, assets, contracts and rights of action (assets) of Bedivere of whatever nature and wherever located, whether held directly or indirectly, as of the date of filing of the Petition for Liquidation. All assets of Bedivere are hereby found to be *in custodia legis* of this Court and this Court asserts jurisdiction as follows: (a) *in rem* jurisdiction over all assets wherever they may be located and regardless of whether they are held in the name of Bedivere or in any other name; (b) exclusive jurisdiction over all determinations as to whether assets belong to Bedivere or to another party; (c) exclusive jurisdiction over all determinations of the validity and amounts of claims against Bedivere; and (d) exclusive jurisdiction over the determination of the priority of all claims against Bedivere.

5. The Liquidator is directed to take possession of all assets that are the property of Bedivere. Specifically, the Liquidator is directed to:

a. Inform all banks, investment bankers, companies, other entities or other persons having in their possession assets which are, or may be, the property of Bedivere, unless otherwise instructed by the Liquidator, to deliver the possession of the same immediately to the Liquidator, and not disburse, convey, transfer, pledge, assign, hypothecate, encumber or in any manner dispose of the same without the prior written consent of, or unless directed in writing by, the Liquidator.

b. Inform all producers and other persons having sold policies of insurance issued by Bedivere to account for and pay all unearned commissions

and all premiums, collected or uncollected, for the benefit of Bedivere directly to the Liquidator within 30 days of notice of this Order and that no producer, reinsurance intermediary or any other person shall disburse or use monies which come into their possession and are owed to, or claimed by, Bedivere for any purpose other than payment to the Liquidator.

c. Inform any premium finance company that has entered into a contract to finance a policy that has been issued by Bedivere to pay any and all premium owed to Bedivere to the Liquidator.

d. Inform all attorneys employed by or retained by Bedivere or performing legal services for Bedivere as of the date of this Order that, within 30 days of notification, they must report to the Liquidator the name, company, claim number (if applicable) and status of each matter they are handling on behalf of Bedivere; the full caption, docket number and name and address of opposing counsel in each case; an accounting of any funds received from or on behalf of Bedivere for any purpose in any capacity; and further, that the Liquidator need not make payment for any unsolicited report.

e. Inform any entity that has custody or control of any data processing equipment and records (including but not limited to source documents, all types of electronically stored information, or other recorded information) relating to Bedivere to transfer custody and control of such documents, in a form readable by the Liquidator, to the Liquidator as of the date of this Order, upon request.

f. Inform any entity furnishing claims processing or data processing services to Bedivere to maintain such services and transfer any such accounts to the Liquidator as of the date of this Order, upon request.

6. Bedivere's directors, officers and employees shall: (a) surrender peaceably to the Liquidator the premises where Bedivere conducts its business; (b) deliver all keys or access codes thereto and to any safe deposit boxes; (c) advise the Liquidator of the combinations and access codes of any safe or safekeeping devices of Bedivere or any password or authorization code or access code required for access to data processing equipment; and (d) deliver and surrender peaceably to the Liquidator all the assets, books, records, files, credit cards, and other property of Bedivere in their possession or control, wherever located, and otherwise advise and cooperate with the Liquidator in identifying and locating any of the foregoing.

7. Bedivere's directors, officers and employees are enjoined from taking any action, without the prior approval of the Liquidator, to transact further business on behalf of Bedivere. They are further enjoined from taking any action that would waste the assets of Bedivere or would interfere with the Liquidator's efforts to wind up the affairs of Bedivere.

CONTINUATION AND CANCELLATION OF POLICIES

8. All Bedivere policies and contracts of insurance, whether issued within this Commonwealth or elsewhere, in effect on the date of this Order will continue in force for the lesser of the following: (1) 30 days from the date of this Order; (2) until the normal expiration of the policy or contract providing insurance coverage; (3) until the insured has replaced the insurance coverage with equivalent insurance with another insurer or otherwise terminated the policy; or (4) until the Liquidator has effected a transfer of the policy obligation to an assuming insurer pursuant to Section 523(8) of Article V, 40 P.S. § 221.23(8).

NOTICE AND PROCEDURE FOR FILING CLAIMS

9. No judgment or order against Bedivere or its insureds entered after the date of filing of the Petition for Liquidation, and no judgment or order against Bedivere or its insureds entered at any time by default or by collusion, will be considered as evidence of liability or of quantum of damages by the Liquidator in evaluating a claim against the estate of Bedivere.

10. In addition to the notice requirements of Section 524 of Article V, 40 P.S. § 221.24, the Liquidator shall publish notice in newspapers of general circulation where Bedivere has its principal places of business that:

- (a) specifies the last day for the filing of claims against the estate of Bedivere;
- (b) explains the procedure by which claims may be submitted to the Liquidator;
- (c) provides the address of the Liquidator's office for the submission of claims; and
- (d) notifies the public of the right to present a claim, or claims, to the Liquidator.

11. Within 30 days of giving notice of the Order of Liquidation, as set forth in Section 524 of Article V, 40 P.S. § 221.24, and of the procedures for filing claims against the estate of Bedivere, the Liquidator shall file a compliance report with the Court stating, in reasonable detail, the date on which and manner by which these notices were given.

DISTRIBUTION OF ESTATE ASSETS

12. Any and all distribution of assets pursuant to Sections 544 and 546 of Article V, 40 P.S. §§ 221.44, 221.46, including those in payment for costs and expenses of estate administration, shall be made under the direction and approval of the Court.

STAY OF LITIGATION

13. Unless the Liquidator consents thereto in writing, no action at law or in equity, including, but not limited to, an arbitration or mediation, the filing of any judgment, attachment, garnishment, lien or levy of execution process against Bedivere or its assets, shall be brought against Bedivere or the Liquidator or against any of their employees, officers or liquidation officers for acts or omissions in their capacity as employees, officers or liquidation officers of Bedivere or the Liquidator, whether in this Commonwealth or elsewhere, nor shall any such existing action be maintained or further prosecuted after the effective date of this Order. All above-enumerated actions currently pending against Bedivere in the courts of the Commonwealth of Pennsylvania or elsewhere are hereby stayed; relief sought in these actions shall be pursued by filing a proof of claim against the estate of Bedivere pursuant to Section 538 of Article V, 40 P.S. § 221.38.

14. All secured creditors or parties, pledges, lienholders, collateral holders or other persons, claiming secured, priority or preferred interests in any property or assets of Bedivere, are hereby enjoined from taking any steps whatsoever to transfer, sell, assign, encumber, attach, dispose of, or exercise, purported rights in or against any property or assets of Bedivere except as provided in Section 543 of Article V, 40 P.S. § 221.43.

15. In recognition of paragraph 10 of the Petition for Liquidation and the representation therein regarding the December 2020 order issued by the Pennsylvania Insurance Department approving the merger of The Employers' Fire Insurance Company (Employers' Fire), Lamorak Insurance Company (formerly OneBeacon American Insurance Company) (Lamorak), and Potomac Insurance

Company (Potomac) with and into Bedivere, all references herein to Bedivere shall include Employers' Fire, Lamorak, and Potomac.

WORKERS' COMPENSATION AND PERSONAL INJURY PROTECTION CLAIMS

16. The Liquidator is authorized for a period of up to 90 days from the date of this Order to advance funds from the estate of Bedivere to pay workers' compensation indemnity and personal injury protection (PIP) claims on behalf of the state guaranty associations, provided that the guaranty association enters into an agreement that such advances shall be treated as a distribution pursuant to Section 536 of Article V, 40 P.S. § 221.36. The Liquidator shall have the discretion to accept such interim assurances as she deems acceptable in lieu of a formal agreement.



P. Kevin Brobson, President Judge

EXHIBIT B



March 12, 2021

Ms. Linda Lacewell
Superintendent of Financial Services of the State of New York
New York Liquidation Bureau
110 Williams Street, 15th Floor
New York, NY 10038

RE: Bedivere Insurance Company (In Liquidation)

Dear Ms. Lacewell,

As you are aware, Bedivere Insurance Company ("Bedivere") was ordered into liquidation by the Commonwealth Court of Pennsylvania on March 11, 2021. The order was accompanied by a finding of insolvency which triggers guaranty funds in the states in which Bedivere did business.

Bedivere was licensed to do business in New York and requires the triggering of the New York Property/Casualty Insurance Security Fund and the New York Public Motor Vehicle Liability Security Fund (collectively, the "Security Funds") to handle open and newly reported Bedivere New York claims.

We have reviewed the Uniform Insurers Liquidation Act and the six criteria required to be deemed a reciprocal state. We believe each requirement has been met by the following subsections of Article V of the Insurance Department Act: 40 P.S. 221.12, 221.15, 221.17, 221.20, 221.55, 221.58.

We are requesting that you commence an ancillary proceeding to trigger the Security Funds.

Sincerely,

A handwritten signature in blue ink that reads "Laura Lyon Slaymaker".

Laura Lyon Slaymaker
Deputy Insurance Commissioner
Office of Liquidations, Rehabilitations
And Special Funds

EXHIBIT 3

At IAS Part 37 of the Supreme Court of the State of New York, at the courthouse located at 60 Centre in the City, County and State of New York, on the 16th day of December, 2020.

PRESENT: A. Engoron
HON. _____ J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
In the Matter of

the Application of

Linda A. Lacewell, Superintendent of
Financial Services of the State of New York, for an
Order of Appointment as Ancillary Receiver of

AMERICAN COUNTRY INSURANCE COMPANY.
-----X

Index No.: 452250/2020

**ORDER OF ANCILLARY
RECEIVERSHIP**

Linda A. Lacewell, Superintendent of Financial Services of the State of New York ("Superintendent"), having moved this Court by order to show cause for an order appointing the Superintendent and her successors in office as ancillary receiver ("Ancillary Receiver") of American Country Insurance Company ("ACIC"), and upon reading and filing the petition of the Superintendent, duly verified on the 9th day of November, 2020 ("Verified Petition"), the Affidavit of Joan Riddell, Deputy Chief Insurance Examiner, Property Bureau, New York State Department of Financial Services, sworn to on the 22nd day of October, 2020, and the exhibits annexed thereto, this Court finds that:

I. ACIC is an Illinois-based property and casualty insurance company wholly owned by American Service Insurance Company; which, in turn, is wholly owned by American Insurance

Acquisition Inc., a Delaware corporation; which, in turn, is wholly owned by Atlas Financial Holdings, Inc., a Cayman Island corporation;

2. By order dated August 11, 2020, the Circuit Court of Cook County, Illinois, County Department, Chancery Division issued an Agreed Order of Liquidation finding ACIC to be insolvent ("Liquidation Order") and appointing Robert H. Muriel, Director of the Illinois Department of Insurance, Liquidator ("Illinois Liquidator") of ACIC;

3. ACIC is subject to Article 74 of the New York Insurance Law ("Insurance Law");

4. Illinois is a reciprocal state within the meaning of Insurance Law § 7408(b)(6);

5. The Illinois Liquidator requested that the Superintendent commence an ancillary receivership proceeding for ACIC; and

6. Insurance Law § 7410(a) mandates that the Superintendent be appointed Ancillary Receiver of ACIC.

NOW, on the motion of the Honorable Letitia James, Attorney General of the State of New York, it is hereby

ORDERED as follows:

1. The relief requested in the Verified Petition seeking an order of ancillary receivership ("Order") is granted in its entirety;
2. The Superintendent and her successors in office is appointed Ancillary Receiver of ACIC and is vested with all rights and obligations granted to and imposed upon her pursuant to Article 74 of the Insurance Law;
3. The material provisions of the Liquidation Order, including, but not limited to, the injunctions, restrictions, and directions contained in paragraph 7 apply to this ancillary receivership proceeding;
4. All persons are permanently enjoined and restrained from commencing or prosecuting any actions, lawsuits, or proceedings against ACIC in ancillary receivership, the Superintendent as Ancillary Receiver of ACIC or as administrator of the New York security funds, the New York Liquidation Bureau, and their

employees, attorneys, or agents, with respect to this proceeding or in the discharge of their duties;

5. All parties to actions, lawsuits, and special or other proceedings in the State of New York against insureds of ACIC or in which ACIC is obligated to defend an insured or provide a defense to a party pursuant to an insurance policy, are enjoined and restrained from obtaining any judgment or proceeding with any discovery, court proceedings, or other litigation tasks or procedures, including, but not limited to, conferences, trials, applications for judgment, or proceedings on settlement or judgment, for a period of 180 days from the date this Order is signed;
6. All persons who have first party policyholder loss claims against ACIC in the State of New York are enjoined and restrained from presenting and filing claims with the Ancillary Receiver for a period of 90 days from the date this Order is signed;
7. Judicial immunity is extended to the Superintendent in her capacities as Ancillary Receiver of ACIC and as administrator of the New York security funds, her successors in office, the New York Liquidation Bureau, and their agents and employees, for any cause of action of any nature against them, individually or jointly, for any act or omission when acting in good faith, in accordance with the orders of this Court, or in the performance of their duties pursuant to Insurance Law Articles 74 and 76 and Article 6A of the New York Workers' Compensation Law;
8. The Ancillary Receiver shall serve a copy of this Order on the Illinois Liquidator by overnight delivery to the Office of the Special Deputy Receiver, representing Robert H. Muriel, Director of the Illinois Department of Insurance in his capacity as Domestic Receiver of American Country Insurance Company at 222 Merchandise Mart Plaza, Suite 960, Chicago, Illinois 60654, Att'n.: J. Kevin Baldwin;
9. The Ancillary Receiver shall provide notice of this Order to all creditors, claimants, and interested persons located in the State of New York by posting the Order on the Internet web page maintained by the New York Liquidation Bureau at <http://www.nylb.org> within 15 days after the entry of this Order;
10. ACIC's license to do business in the State of New York is hereby revoked;

11. The caption for this proceeding is hereby amended as follows:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X

In the matter of

the Ancillary Receivership of

AMERICAN COUNTRY INSURANCE COMPANY.

-----X

12. All further papers in this proceeding shall bear the above amended caption.

ENTER



J.S.C.

L 29623/map

SUPREME COURT OF THE STATE OF NEW YORK NEW YORK COUNTY

PRESENT: HON. ARTHUR F. ENGORON

PART

IAS MOTION 37EFM

Justice

-----X

LINDA LACEWELL

Petitioner,

- v -

Respondent.

-----X

INDEX NO.

452249/2020

MOTION DATE

N/A

MOTION SEQ. NO.

001

DECISION + ORDER ON MOTION

The following e-filed documents, listed by NYSCEF document number (Motion 001) 7, 11, 13, 14
were read on this motion to/for INJUNCTION/RESTRAINING ORDER.

Upon the foregoing documents, it is ordered that the instant petition is granted. Order signed and
e-filed as NYSCEF Document 14.

12/2/2020

DATE

CHECK ONE:

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CASE DISPOSED

☒

GRANTED

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DENIED

APPLICATION:

☐

SETTLE ORDER

CHECK IF APPROPRIATE:

☐

INCLUDES TRANSFER/REASSIGN

☐

NON-FINAL DISPOSITION

☐

GRANTED IN PART

☐

OTHER

☐

SUBMIT ORDER

☐

FIDUCIARY APPOINTMENT

☐

REFERENCE

20201202112450AENGORON642546F3C6524639B55E6F2BA74ED4C2


ARTHUR F. ENGORON, J.S.C.

At IAS Part 37 of the Supreme Court of the State of New York, at the courthouse located at 60 Centre St. _____, in the City, County and State of New York, on the 2nd day of Dec. _____, 2020.

P R E S E N T :

HON. A. Engoron J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
In the Matter of

Index No.:

the Application of

Linda A. Lacewell, Acting Superintendent of
Financial Services of the State of New York, for an
Order of Appointment as Ancillary Receiver of

**ORDER OF ANCILLARY
RECEIVERSHIP**

AMERICAN SERVICE INSURANCE COMPANY.
-----X

Linda A. Lacewell, Superintendent of Financial Services of the State of New York (“Superintendent”), having moved this Court by order to show cause for an order appointing the Superintendent and her successors in office as ancillary receiver (“Ancillary Receiver”) of American Service Insurance Company (“ASIC”), and upon reading and filing the petition of the Superintendent, duly verified on the 9th day of November, 2020 (“Verified Petition”), the Affidavit of Joan Riddell, Deputy Chief Insurance Examiner, Property Bureau, New York State Department of Financial Services, sworn to on the 22nd day of October, 2020, and the exhibits annexed thereto, this Court finds that:

1. ASIC is an Illinois-based property and casualty insurance company wholly owned by American Insurance Acquisition Inc., a Delaware corporation; which, in turn, is wholly owned by Atlas Financial Holdings, Inc., a Cayman Island corporation;

2. By order dated August 11, 2020, the Circuit Court of Cook County, Illinois, County Department, Chancery Division issued an Agreed Order of Liquidation finding ASIC to be insolvent (“Liquidation Order”) and appointing Robert H. Muriel, Director of the Illinois Department of Insurance, as Liquidator (“Illinois Liquidator”) of ASIC;

3. ASIC is subject to Article 74 of the New York Insurance Law (“Insurance Law”);

4. Illinois is a reciprocal state within the meaning of Insurance Law § 7408(b)(6);

5. The Illinois Liquidator requested that the Superintendent commence an ancillary receivership proceeding for ASIC; and

6. Insurance Law § 7410(a) mandates that the Superintendent be appointed Ancillary Receiver of ASIC.

NOW, on the motion of the Honorable Letitia James, Attorney General of the State of New York, it is hereby

ORDERED as follows:

1. The relief requested in the Verified Petition seeking an order of ancillary receivership (“Order”) is granted in its entirety;
2. The Superintendent and her successors in office is appointed Ancillary Receiver of ASIC and is vested with all rights and obligations granted to and imposed upon her pursuant to Article 74 of the Insurance Law;
3. The material provisions of the Liquidation Order, including, but not limited to, the injunctions, restrictions, and directions contained in paragraph 7, apply to this ancillary receivership proceeding;
4. All persons are permanently enjoined and restrained from commencing or prosecuting any actions, lawsuits, or proceedings against ASIC in ancillary receivership, the Superintendent as Ancillary Receiver of ASIC or as administrator of the New York security funds, the New York Liquidation Bureau, and their employees, attorneys, or agents, with respect to this proceeding or in the discharge of their duties;

5. All parties to actions, lawsuits, and special or other proceedings in the State of New York against insureds of ASIC or in which ASIC is obligated to defend an insured or provide a defense to a party pursuant to an insurance policy are enjoined and restrained from obtaining any judgment or proceeding with any discovery, court proceedings or other litigation tasks or procedures, including, but not limited to, conferences, trials, applications for judgment, or proceedings on settlement or judgment, for a period of 180 days from the date this Order is signed;
6. All persons who have first party policyholder loss claims against ASIC in the State of New York are enjoined and restrained from presenting and filing claims with the Ancillary Receiver for a period of 90 days from the date this Order is signed;
7. Judicial immunity is extended to the Superintendent in her capacities as Ancillary Receiver of ASIC and as administrator of the New York security funds, her successors in office, the New York Liquidation Bureau, and their agents and employees, for any cause of action of any nature against them, individually or jointly, for any act or omission when acting in good faith, in accordance with the orders of this Court, or in the performance of their duties pursuant to Insurance Law Articles 74 and 76 and Article 6A of the New York Workers' Compensation Law;
8. The Ancillary Receiver shall serve a copy of this Order on the Illinois Liquidator by overnight delivery to the Office of the Special Deputy Receiver, representing Robert H. Muriel, Director of the Illinois Department of Insurance in his capacity as Domestic Receiver of American Service Insurance Company at 222 Merchandise Mart Plaza, Suite 960, Chicago, Illinois 60654, Att'n: J. Kevin Baldwin;
9. The Ancillary Receiver shall provide notice of this Order to all creditors, claimants, and interested persons located in the State of New York by posting the Order on the Internet web page maintained by the New York Liquidation Bureau at <http://www.nylb.org> within 15 days after the entry of this Order;
10. ASIC's license to do business in the State of New York is hereby revoked;
11. The caption for this proceeding is hereby amended as follows:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
In the matter of

the Ancillary Receivership of

AMERICAN SERVICE INSURANCE COMPANY.
-----X

12. All further papers in this proceeding shall bear the above amended caption.

ENTER

Arthur F.
Engoron

Digitally signed by Arthur F. Engoron
DN: C=US, OU=NY County Supreme Court,
O=New York State Courts, CN=Arthur F.
Engoron, E=AENGORON@NYCOURTS.GOV
Reason: I am the author of this document
Location: Molly987987!
Date: 2020.12.02 11:15:47-05'00'
Foxit PhantomPDF Version: 10.1.0

J.S.C.

L 29623/map

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTYPRESENT: HON. W. FRANC PERRY

PART

IAS MOTION 23EFM

Justice

-----X

LINDA LACEWELL,

Petitioner,

- v -

NORTHWESTERN NATIONAL INSURANCE COMPANY
OF MILWAUKEE, WISCONSIN,

Respondent.

-----X

INDEX NO. 450931/2019MOTION DATE N/AMOTION SEQ. NO. 001DECISION ON PETITION FOR
ANCILLARY RECEIVERSHIP

The following e-filed documents, listed by NYSCEF document number (Motion 001) 7, 11, 12, 13, 14
were read on this motion to/for SPECIAL PROCEEDING / RECEIVERSHIP

Upon the foregoing documents, and as stated on the record at oral argument on August 8,
2019, it is hereby

ORDERED that the Petition is granted in accordance with the annexed Order Of
Ancillary Receivership, dated August 8, 2019; and it is further

ORDERED that the proceeding shall bear the following amended caption:

-----X

In the matter of

the Ancillary Receivership of

NORTHWESTERN NATIONAL INSURANCE COMPANY
OF MILWAUKEE, WISCONSIN.

-----X

And it is further

ORDERED that counsel for the moving party shall serve a copy of this order with notice
of entry upon the County Clerk (60 Centre Street, Room 141B) and the Clerk of the General

FILED: NEW YORK COUNTY CLERK 08/08/2019 02:40 PM

INDEX NO. 450931/2019

NYSCEF DOC. NO. 15

RECEIVED NYSCEF: 08/08/2019

Clerk's Office (60 Centre Street, Room 119), who are directed to mark the court's records to reflect the changes to the caption; and it is further

ORDERED that such service upon the County Clerk and the Clerk of the General Clerk's Office shall be made in accordance with the procedures set forth in the Protocol on Courthouse and County Clerk Procedures for Electronically Filed Cases (accessible at the "E-Filing" page on the court's website at the address (www.nycourts.gov/supctmanh)).

This constitutes the decision and order of the court.

8/8/2019

DATE

CHECK ONE:

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CASE DISPOSED

☒

GRANTED

☐

DENIED

APPLICATION:

☐

SETTLE ORDER

CHECK IF APPROPRIATE:

☐

INCLUDES TRANSFER/REASSIGN

☒

NON-FINAL DISPOSITION

☐

GRANTED IN PART

☐

SUBMIT ORDER

☐

FIDUCIARY APPOINTMENT

☐

OTHER

☐

REFERENCE


W. FRANC PERRY, J.S.C.

At IAS Part 23 of the Supreme Court
of the State of New York, County of
New York, at the Courthouse, 80
Centre Street, in the County, City and
State of New York, on the 8th day of
August, 2019.

P R E S E N T :

HON. W. FRANC PERRY, III J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
In the Matter of

Index No.: 450931/2019

the Application of

Linda A. Lacewell, Acting Superintendent of
Financial Services of the State of New York, for an
Order of Appointment as Ancillary Receiver of

**ORDER OF ANCILLARY
RECEIVERSHIP**

NORTHWESTERN NATIONAL INSURANCE COMPANY
OF MILWAUKEE, WISCONSIN.
-----X

Linda A. Lacewell, Superintendent of Financial Services of the State of New York ("Superintendent"), having moved this Court for an order appointing the Superintendent and her successors in office as ancillary receiver ("Ancillary Receiver") of Northwestern National Insurance Company of Milwaukee, Wisconsin ("NNIC"), and upon reading and filing the petition of the Superintendent, duly verified on the 13th day of June, 2019 ("Verified Petition"), the Affidavit of Joan L. Riddell, Deputy Chief Insurance Examiner, Property Bureau, New York State Department of Financial Services, sworn to on the 13th day of May, 2019, and the exhibits annexed thereto, this Court finds that:

1. NNIC is a property and casualty insurer domiciled in the State of Wisconsin. The company was organized in 1869 by an act of the Wisconsin legislature, and maintained its

administrative office in West Chester, Ohio, and its principal place of business in Madison, Wisconsin;

2. NNIC was licensed in the State of New York to transact the kinds of insurance specified in New York Insurance Law § 1113(a)(3) – (17) and (19) – (21);

3. By order dated May 2, 2019, the Circuit Court, Dane County, Madison, Wisconsin issued an Order for Liquidation finding NNIC to be insolvent (“Liquidation Order”) and appointing Mark Afable, Wisconsin Commissioner of Insurance, Liquidator (“Wisconsin Liquidator”) of NNIC. The Liquidation Order also, among other things, established the date that is six months from the date of entry of the Liquidation Order, which is November 2, 2019, as the bar date for the filing of claims against NNIC (“Claims Bar Date”);

4. NNIC is subject to Article 74 of the New York Insurance Law (“Insurance Law”);

5. Wisconsin is a reciprocal state within the meaning of Insurance Law § 7408(b)(6);

6. The Wisconsin Liquidator requested that the Superintendent commence an ancillary receivership proceeding for NNIC; and

7. Insurance Law § 7410(a) mandates that the Superintendent be appointed Ancillary Receiver of NNIC.

NOW, on the motion of the Honorable Letitia James, Attorney General of the State of New York, it is hereby

ORDERED as follows:

1. The relief requested in the Verified Petition seeking an order of ancillary receivership (“Order”) is granted in its entirety;
2. The Superintendent and her successors in office is appointed Ancillary Receiver of NNIC and is vested with all rights and obligations granted to and imposed upon her pursuant to Article 74 of the Insurance Law;

3. The material provisions of the Liquidation Order as it pertains to this ancillary receivership proceeding, including injunctions, restrictions and directions set forth in paragraphs 11, 12, 13, 14, 16 and 23 apply to this ancillary receivership proceeding;
4. In accordance with Insurance Law § 7412(a), the Claims Bar Date of November 2, 2019, established in paragraph 23 of the Liquidation Order, applies to this ancillary receivership proceeding and all New York claims under NNIC policies and evidence supporting such claims must be submitted to the Ancillary Receiver by November 2, 2019, and if not submitted by that date shall be barred;
5. All persons are permanently enjoined and restrained from commencing or prosecuting any actions, lawsuits or proceedings in the State of New York against NNIC, and all persons are permanently enjoined and restrained from commencing or prosecuting any actions, lawsuits or proceedings in the State of New York against NNIC, the Superintendent as Ancillary Receiver or as administrator of the New York security funds, the New York Liquidation Bureau, and their employees, attorneys, or agents, with respect to this proceeding or in the discharge of their duties;
6. All parties to actions, lawsuits, and special or other proceedings against insureds of NNIC or in which NNIC is obligated to defend an insured or provide a defense to a party pursuant to an insurance policy are enjoined and restrained from obtaining any judgment or proceeding with any discovery, court proceedings or other litigation tasks or procedures, including, but not limited to, conferences, trials, applications for judgment or proceedings on settlement or judgment, for a period of 180 days from the date of entry of this Order;
7. Judicial immunity is extended to the Superintendent in her capacities as Ancillary Receiver of NNIC and as administrator of the New York security funds, her successors in office, the New York Liquidation Bureau, and their agents and employees, for any cause of action of any nature against them, individually or jointly, for any act or omission when acting in good faith, in accordance with the orders of this Court, or in the performance of their duties pursuant to Insurance Law Articles 74 and 76 and Article 6-A of the New York Workers' Compensation Law;
8. The Ancillary Receiver shall serve a copy of this Order on the Wisconsin Liquidator by overnight delivery to Mark Afable, Commissioner of Insurance for the State of Wisconsin, 125 South Webster Street, Madison, WI 53703-3474, and Amy J. Malm, Special Deputy Liquidator for NNIC at the same address;
9. The Ancillary Receiver shall provide notice of this Order, substantially in the form attached hereto (the "Notice"), to all creditors, claimants, and interested persons located in the State of New York by: (i) publication of the Notice in the *New York Daily News*, or a publication of similar circulation, within 30 days of entry of this Order; and (ii) posting the Notice and the Order on the Internet web page

maintained by the New York Liquidation Bureau at <http://www.nylb.org> within 15 days after the entry of this Order;

10. NNIC's license to do business in the State of New York is hereby revoked;
11. The caption for this proceeding is hereby amended as follows:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
In the matter of

the Ancillary Receivership of

NORTHWESTERN NATIONAL INSURANCE COMPANY
OF MILWAUKEE, WISCONSIN.
-----X

12. All further papers in this proceeding shall bear the above amended caption.

ENTER



J.S.C.
HON. W. FRANC PERRY, III
J.S.C.